

MARKED-UP COPY OF AMENDED CLAIMS:

36. (Amended) An apparatus for mounting a device to a surface, the apparatus comprising:

a shaft holder having a plurality of walls, a bottom having a first hole formed therein, and an open top so as to form a receptacle for receiving the device, wherein the device is removably positionable within said shaft holder;

a threaded rod positioned so as to extend through said first hole;

a nut in threaded engagement with said threaded rod; and

an a plurality of attachment components adapted to be assembled into a plurality of attachment means each of a different configuration for attaching said shaft holder to the surface, at least one of said attachment means comprising the assembly of less than all of said plurality of attachment components.

50. (Amended) A system for mounting a device to a surface using one of a plurality of devices each of a different configuration that can be assembled from the system, the system comprising:

a shaft holder having a plurality of walls, a bottom having a first hole formed therein, and an open top so as to form a receptacle for receiving the device, wherein the device is removably insertable into said receptacle;

a plurality of threaded rods;

a nut;

a clamping plate having a second hole centrally located therein;

a first member having a first flange and a second flange generally perpendicularly attached to said first flange, said first flange having a third hole formed therein, and said second flange having at least a fourth hole formed therein; and

a second member having a third flange and a fourth flange generally perpendicularly attached to said third flange, said third flange having a fifth hole formed therein, and said fourth flange having at least a sixth hole formed therein; said shaft holder, said plurality of threaded rods, said nut, said clamping plate, said first member and said second member comprising attachment components adapted to be assembled into said plurality of devices, at least one of said plurality of devices comprising the assembly of less than all of said attachment components provided that all of said plurality of devices at least includes said shaft holder.

63. (Amended) An apparatus of mounting a device to a supporting surface, the apparatus comprising:

a shaft holder including a bottom having a first hole formed therein and an open top forming a receptacle therein for receiving the device, wherein the device is removably positionable within said shaft holder;

a threaded rod positioned to extend through said first hole;

a nut in threaded engagement with said threaded rod; and an a plurality of attachment components adapted to be assembled into a plurality of attachment means each of a different configuration for attaching said shaft holder to the surface, at least one of said attachment means comprising the assembly of less than all of said plurality of attachment components.

67. (Amended) A system for mounting a device to a supporting surface using one of a plurality of devices each of a different configuration that can be assembled from the system, the system comprising:

a shaft holder including a bottom having a first hole formed therein and an open top forming a receptacle for receiving

the device, wherein the device is removably insertable into said receptacle;

a plurality of threaded rods;

a nut;

a first member having a first flange and a second flange generally perpendicularly attached to said first flange, said first flange having a second hole formed therein, and said second flange having at least a third hole formed therein; and
a second member having a third flange and a fourth flange generally perpendicularly attached to said third flange, said third flange having a fourth hole formed therein, and said fourth flange having at least a fifth hole formed therein; said shaft holder, said plurality of threaded rods, said nut, said clamping plate, said first member and said second member comprising attachment components adapted to be assembled into said plurality of devices, at least one of said plurality of devices comprising the assembly of less than all of said attachment components provided that all of said plurality of devices at least includes said shaft holder.

REMARKS

This Amendment is in response to the outstanding Official Action dated March 14, 2001, the shortened statutory period for filing a response having expired on June 14, 2001. In this regard, Applicant encloses herewith a One Month Extension Petition resetting the deadline from June 14, 2001 to and including July 14, 2001. In view of the above amendments and within remarks, reconsideration of the Examiner's rejection is respectfully requested.

The present application includes five independent claims, i.e., claims 36, 50, 63, 67 and 72 which are considered to be generic. Claim 72 is newly added pursuant to this Amendment. The Examiner, however, only considers claims 36, 37 and 63 to be generic to all species. It is first pointed out to the Examiner that dependent claim 37 was withdrawn from consideration as being directed to a non-elected species. Thus, claim 37 as a dependent claim, could not be considered generic. In view of Applicant's above amendments, it is believed that all independent claims, including claims 50 and 67 are generic to all the species of the present invention, including newly proposed claim 72. This fact will be more apparent from the following discussion of the present invention as set forth in claims 36, 50, 63, 67 and 72. It is therefore improper to withdraw any claims from this application, as there are pending generic claims which are believed to be allowable.

With respect to the cited prior art, the Examiner has rejected claims 36, 41, 63 and 64 under 35 U.S.C. §102(b) as being anticipated by Gentile, U.S. Patent No. 3,591,118; claims 36, 41, 43 and 50 under 35 U.S.C. §103(a) as being obvious over Higgins, U.S. Patent No. 1,785,518 in view of Gentile; and claims 36, 41-43, 50, 51, 53, 54 and 63-71 under 35 U.S.C. §103(a) as being obvious over Rossman, et al., U.S. Patent No. 5,277,392 in view of Higgins and Gentile. In view of the foregoing, the

Examiner's rejection is considered traversed and should therefore be withdrawn.

As set forth in independent claims 36 and 63, there is required a plurality of attachment components which are adapted to be assembled into a plurality of attachment means each of a different configuration for attaching the shaft holder to the surface, at least one of the attachment means comprising the assembly of less than all of the plurality of attachment components. See also independent claim 72. Independent claims 50 and 67 have been amended whereby the shaft holder, plurality of threaded rods, the nut, the clamping plate, the first member and the second member comprise attachment components which are adapted to be assembled into a plurality of devices each of a different configuration, at least one of the plurality of devices comprising the assembly of less than all of the attachment components provided that all of the plurality of devices at least includes the shaft holder.

From the foregoing, the apparatus of claims 36, 63 and 72 and the system of claims 50 and 67 include a plurality of components, in the nature of a universal kit, which can be assembled into various attachment means or mounting devices of different configurations. In accordance with the present invention, at least one of the attachment means or plurality of devices results from the assembly of less than all of the components provided pursuant to the claimed apparatus or system, wherein all of the attachment means or plurality of devices at least includes the shaft holder. The user can assemble all or less than the totality of the components into one or more attachment means or devices for mounting a device to a supporting surface. The various configurations into which the components can be assembled are disclosed in the specification and drawings. By way of example only, the assembled components can be formed

into a clamp mount, wall mount, and/or flat mount as recited in claim 51.

Turning to the Examiner's rejection, the Examiner has cited Gentile, Higgins and Rossman, et al. as disclosing various brackets for purportedly mounting a device to a supporting surface. In the Official Action, the Examiner details the specific construction of each of the brackets disclosed in the cited prior art. Unlike Applicant's claimed invention, the bracket of Gentile, the bracket of Higgins and/or the bracket of Rossman, et al. are assembled into a single bracket configuration using all of the components which are adapted to be assembled only into the configuration of the bracket shown. There is no teaching in Gentile, Higgins or Rossman, et al. to assemble the disclosed components into any other bracket configuration, and in particular, wherein one of the assembled brackets utilizes less than all of the disclosed components. As such, each of the cited references are only capable of constructing a single bracket in a single configuration using all of the components referred to by the Examiner as disclosed in the prior art. Accordingly, the Examiner's rejection is considered traversed and should therefore be withdrawn.

Finally, as to claim 43, the "at least one screw" referred to by the Examiner is part of the "attachment means" as set forth in claim 43, i.e., "wherein said attachment means further includes... and at least one screw." Accordingly, the Examiner's rejection of claim 43 under 35 U.S.C. §112, second paragraph is traversed and should therefore be withdrawn.

In considering Applicant's within response, Applicant designates the dependent claims as being allowable by virtue of their ultimate dependency upon submittedly allowable independent claims. Although Applicant has not separately argued the patentability of each of the dependent claims, Applicant's failure to do so is not to be taken as an admission that the

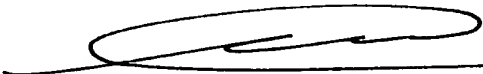
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features of the dependent claims are not themselves separably patentable over the prior art cited by the Examiner.

As all issues raised by the Examiner have now been overcome, Notice of Allowance is respectfully requested. If, for any reason, the Examiner is of the opinion that such action cannot be taken at this time, she is invited to telephone the undersigned at (908) 654-5000, so as to overcome any additional issues that may need resolution. If there are any fees to be incurred in connection with this response, the Examiner is authorized to charge Deposit Account No. 12-1095.

Respectfully submitted,

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